

GIGTOWN
Website and Mobile Application Privacy Policy

EFFECTIVE DATE: 09/2018

Gigtown (“Gigtown,” “we” or “us”) values your privacy. In this privacy policy, we describe how we collect, use, and disclose information that we obtain about visitors to our website www.gigtown.com (the “Site”), our mobile application (the “App”), and the services available through our Site and App (collectively, the “Services”). Please note that certain Services are available only on our Site, e.g., artists may register through our Site, but not through our App, whereas certain Services only are available through our App, e.g., interested consumers may book artists.

By visiting our Site or App, or using any of our Services, you agree that your personal information will be handled as described in this Policy. Your use of our Site, App, or Services, and any dispute over privacy, is subject to this Policy and our Terms of Use, including its applicable limitations on damages and the resolution of disputes. Our Terms of Use are incorporated by reference into this Policy.

Information We Collect About You

We may collect information about you directly from you and from third parties, as well as automatically through your use of our Site, App or Services.

Information We Collect Directly From You. The information that we collect from you depends on whether you are an artist or a consumer seeking to book an artist, as well if you are on our Site or our App, and your interaction with our Services, and may include the following:

- **Artists.** You may register your band through our Site. To do so, we will collect: your name, picture, email address, phone number, home zip code, artist or band name. We will also collect any information that you voluntarily provide to us, such as audio and video files, a biography. We use a third party to store your financial information, and do not maintain it in our systems.
- **Consumers.** Currently, you may learn about and message a registered artist only through our App. To do so, we will require you to register to use our App either directly with us (name and email address) or through Facebook Connect (see below re logging in through Facebook Connect). We will request your gender, home location, and credit or debit card information. You also have the option of telling us about your favorite artists and rating artists you have viewed.

Information We Collect From Social Networking Sites. If you choose to log in through Facebook Connect, we will collect information available through your public Facebook profile, including profile picture, friends, interests and likes, home location, and gender. We store the information that we receive from Facebook with other information that we collect from you or receive about you.

Facebook controls the information it collects from you. For information about what they may use and disclose your information, including any information you make public, please consult its privacy policy. We have no control over how any third party site uses or discloses the personal information it collects about you.

Information We Collect Automatically. We may automatically collect information, such as the following, about your use of our Services (on our Site and in our App) through cookies and other technologies (including technologies designed for mobile apps): your domain name; your browser type; your precise location (geolocation), operating system type; device name and model; pages or screens you view; links you click; your IP address; the length of time you visit or use our Services; and the referring URL, or the webpage that led you to our Site.

We may combine information collected automatically with other information that we have collected about you.

How We Use Your Information

Our primary goals in collecting your Personal information or Usage information are to enhance your experience using the Services and to help support local artists.

We use your information, including your personal information, for the following purposes:

- To provide our Services to you (e.g., for our Artists, to display information about your band, and, for users, to tell you about upcoming events, profile Artists; to communicate with you about your use of our Services; to respond to your inquiries; and for other customer service purposes.
- To better understand how users access and use our Service, both on an aggregated and individualized basis; to respond to user desires and preferences; and for other research and analytical purposes.
- To tailor the content and information that we may send or display to you; to offer personalized help and instructions; and to otherwise personalize your experiences while using our Site, App or Services.
- To provide you with news and newsletters, special offers, and promotions; to contact you (including via email) about products or information we think may interest you; and for other marketing, advertising and promotional purposes.
- To send push notifications to you. For example, we may notify you of artists you may like that are playing nearby, or of promotions that may be of interest to you.
- To comply with applicable legal obligations.

1.

How We Share Your Information

We may share your information (which includes information about artists, users, and other visitors of our Site and our App, unless specifically limited below), including personal information, as follows:

- ***Artists.*** If you are an artist, any information that you submit about your band (with the exception of payment information) will be available on our Site and App to other users of our Services, including other Artists. Interested persons will be able to view your profile, listen to music, and review any other information that you choose to submit to us.
- ***Gigtown Users.*** If a user submits information about an Artist, such as a review or a comment, that information will be available to all other users of our Site and our App. When you submit a comment, your user name will be posted along with your comment.

- **Service Providers.** We may disclose your information to vendors, service providers, contractors, agents, or other entities who perform functions on our behalf, including entities that process payment information on our behalf as well as assist us with IT, marketing, and other functions.
- **Affiliates.** We may disclose your information to our affiliates or subsidiaries for research, marketing and other purposes consistent with this Policy.
- **Non-Affiliated Third Parties.** We may disclose your information with non-affiliated third parties, who may use the information to market or advertise to you products of services that they think would be of interest for you. Please see our special notice to California users below.

2.

3. We also may share your information in the following circumstances:

- **Business Transfers.** If we are acquired by or merged with another company, if substantially all of our assets are transferred to another company or as part of a bankruptcy proceeding, we may transfer your information to another entity.
- **In Response to Legal Process.** We may disclose your information in order to comply with the law, a judicial proceeding, court order or other legal process, such as in response to a court order or a subpoena.
- **To Protect Us and Others.** We also may disclose your information where we believe it is necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Service or this Policy or as evidence in litigation in which we are involved.
- **Aggregate and De-Identified Information.** We may share aggregate or de-identified information about users with third parties for marketing, advertising, research, or similar purposes.

Cookies and Other Tracking Mechanisms

We and our service providers use cookies and other tracking mechanisms to track information about your use of our Site, App, or Services. We or our service providers may combine this information with other personal information we collect from you.

Do Not Track. Our Site does not respond to Do Not Track signals. However, we do not track your activities once you leave our Site. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies).

Cookies. We or our service providers may use cookies to track visitor activity on our Site. A cookie is a text file that a website transfers to your computer's hard drive for record-keeping purposes. We or our service providers may use cookies to track user activities on our Site, such as the pages visited and time spent on our Site. Most browsers allow users to refuse cookies. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Visitors to our Site who disable cookies may not be able to browse certain areas of the Site.

Local Storage Objects. We may use Flash Local Storage Objects ("Flash LSOs") to store your Site preferences and to personalize your visit. Flash LSOs are different from browser cookies because of the amount and type of data stored. Typically, you cannot control, delete or disable the acceptance of Flash LSOs through your web browser. For more information on Flash LSOs, or to learn how to manage your settings for Flash LSOs, go to the Adobe Flash Player Help Page, choose "Global Storage Settings Panel"

and follow the instructions. To see the Flash LSOs currently on your computer, choose “Website Storage Settings Panel” and follow the instructions to review and, if you choose, to delete any specific Flash LSO.

Clear GIFs, pixel tags and other technologies. Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on your computer’s hard drive, clear GIFs are embedded invisibly on web pages. We may use clear GIFs (also known as web beacons, web bugs or pixel tags), in connection with our Site to, among other things, track the activities of Site visitors, help us manage content and compile statistics about Site usage. We or our service providers may also use clear GIFs in HTML emails to our customers to help us track email response rates, identify when our emails are viewed and track whether our emails are forwarded.

Third-Party Analytics. We or our service providers use automated devices and applications to evaluate use of our Site and App. We also may use other analytic means to evaluate our Services. We or our service providers use these tools to help us improve our Site, App, Services, performance, and user experiences. These entities may use cookies and other tracking technologies to perform their services.

Third-Party Ad Networks

We may use third parties such as network advertisers to display advertisements on our Site, to assist us in displaying advertisements on third-party websites, and to evaluate the success of our advertising campaigns. Network advertisers are third parties that display advertisements based on your visits to our Site as well as other websites. This enables us and these third parties to target advertisements by displaying ads for products and services in which you might be interested. Third-party ad network providers, advertisers, sponsors and/or traffic measurement services may use cookies, JavaScript, web beacons (including clear GIFs), Flash LSOs and other technologies to measure the effectiveness of their ads and to personalize advertising content to you. These third-party cookies and other technologies are governed by each third party’s specific privacy policy, not this Policy. We may provide these third-party advertisers with information about your usage of our Site and Services, as well as aggregate or non-personally identifiable information about visitors to our Site and users of our Services.

You may opt out of many third-party ad networks, including those operated by members of the Network Advertising Initiative (“NAI”) and the Digital Advertising Alliance (“DAA”). For more information regarding this practice by NAI members and DAA members, and your choices regarding having this information used by these companies, including how to opt-out of third-party ad networks operated by NAI and DAA members, please visit their respective websites: www.networkadvertising.org/optout_nonppii.asp (NAI) and www.aboutads.info/choices (DAA).

Opting out of one or more NAI member or DAA member networks (many of which will be the same) only means that those members no longer will deliver targeted content or ads to you. It does not mean you will no longer receive any targeted content or ads on our Site or other websites. You may continue to receive advertisements, for example, based on the particular website that you are viewing. Also, if your browsers are configured to reject cookies when you visit this opt-out page, or you subsequently erase your cookies, use a different computer or change web browsers, your NAI or DAA opt-out may no longer be effective. Additional information is available on NAI’s and DAA’s websites accessible by the above links.

User-Generated Content

We invite you to post content to our Service, including your comments, video, pictures, and any other information that you would like to be available on our Services. If you post content to our Services, all of the information that you post will be available to all visitors to our Services. If you post your own content on our Site, App or Services, your posting may become public and we cannot prevent such information from being used in a manner that may violate this Policy, the law or your personal privacy.

Third-Party Links

Our Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those third-party websites. We are not responsible for the information practices of such third-party websites.

Security of My Personal Information

We have implemented security measures designed to protect the personal information we collect. Please be aware that despite our best efforts, no data security measures can guarantee 100% security. You should take steps to protect against unauthorized access to your password, mobile device and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen or compromised passwords or for any activity on your account via unauthorized password activity.

Access to My Personal Information

You may modify personal information that you have submitted by logging into your account and updating your profile information in your account settings on our Site or in our App. Please note that copies of information that you have updated, modified or deleted may remain viewable in cached and archived pages of the Site or App for a period of time.

Special Information for California Consumers

California residents may request a list of certain third parties to which we have disclosed personally identifiable information about you for their own direct marketing purposes. You may make one request per calendar year and your request is free of charge. In your request, please attest to the fact that you are a California resident and provide a current California address for your response. You may request this information in writing by contacting us at contact@gigtown.com. Please allow up to thirty (30) days for a response.

Marketing Communications

We may send periodic promotional or informational emails to you. You may opt out of such communications by following the opt-out instructions contained in the email or by emailing us at contact@gigtown.com. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt out of receiving emails about recommendations or other information we think may interest you, we may still send you emails about your account or any services you have requested or received from us.

Children Under 13

Our Services are not designed for children under 13, and we do not knowingly collect information from children under 13.

Contact Us

If you have questions about the privacy aspects of our Services or would like to make a complaint, please contact us at contact@gigtown.com.

Changes to this Policy

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy on our Site. If we make any changes to this Policy that materially affect our practices with regard to the personal information we have previously collected from you, we will endeavor to provide you with notice in advance of such change by highlighting the change on our Site.